

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

THOMAS DEWAYNE ELLASON,
TDCJ-CID NO. 600129,
Plaintiff,

v.

BRAD LIVINGSTON, *et al.*,
Defendants.

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CIVIL ACTION H-14-1669

ORDER

Plaintiff Thomas Dewayne Ellason, a state inmate proceeding *pro se* and *in forma pauperis* (IFP), filed a civil rights Complaint pursuant to 42 U.S.C. § 1983 alleging numerous claims stemming from an auto accident that occurred while Plaintiff was being transported by Texas Department of Criminal Justice – Correctional Institutions Division (TDCJ-CID) officials. The Complaint was originally filed in the United States District Court for the Northern District of Texas, Lubbock Division. *See Ellason v. Texas Tech Univ. Health Sciences Ctr., et al.*, 5:14-cv-0084-C (N.D. Tex. June 9, 2014). On June 12, 2014, that court severed and transferred to this district “[t]he complaints of deliberate indifference to health and safety and any other claims alleged to have occurred in Walker County, Texas, and [involving] Defendants Brad Livingston, Kyle Jordan Nash, James Andrews, Jacklyn Wischnewsky, LVN Michael W. Utley, and Dr. John Weinberg.” (Docket No. 5 at 7.)


Accordingly, it is hereby **ORDERED** that within thirty days Plaintiff shall file an amended complaint in this case clearly setting forth his claims against the above named defendants. Plaintiff must use the Prisoner Civil Rights Complaint Form provided by TDCJ, attaching additional pages and exhibits as necessary. Plaintiff shall fully answer each question and shall not incorporate by reference, or otherwise, any portion of his previously submitted

complaint. Plaintiff shall provide specific facts (such as date, time, location, *etc.*) showing how each of the named defendants personally participated in each constitutional violation alleged against him or her. Plaintiff must also provide detailed information regarding his attempts to resolve each of his claims through the prison administrative grievance process. Plaintiff shall sign, date and label his pleading Amended Complaint, with the present case number.

Plaintiff is admonished that if he includes any claims or defendants that have been previously severed from the instant case in his Amended Complaint, such claims and defendants will be dismissed on screening. Plaintiff is further warned that failure to timely comply with this order may result in immediate dismissal of this case without further notice.

The Clerk of Court will send a copy of this Order to Plaintiff.

Signed at Houston, Texas, on June 24, 2014.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE